

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DANIEL FRAZIER, §
Plaintiff, §
v. § CIVIL ACTION NO. H-14-0716
OFFICE OF VIOLENT SEX OFFENDER §
MANAGEMENT, et al., §
Defendants. §

MEMORANDUM ORDER OF DISMISSAL

By Order dated March 21, 2014 (Document No. 8), Plaintiff Daniel Frazier was ordered to file a First Amended Complaint no later than April 21, 2014, if he desired to continue to prosecute an action against one or more of Defendants who were named in his Original Complaint filed in Cause No. 13-CV-1394 (Document No. 1). Plaintiff Frazier was further advised in the March 21, 2014 Order that if he chose not to go forward with this case by filing a First Amended Complaint and took no further action within the time allowed, the Court would dismiss this case brought in Plaintiff Frazier's name for failure to state a claim upon which relief can be granted.

Court records show that a copy of the Court's March 21, 2014 Order was timely mailed to Plaintiff Frazier's address of record but was returned on March 31, 2014, as undeliverable without a forwarding address. To date, Plaintiff Frazier has never furnished a new address to the Court nor otherwise moved or expressed any

desire further to prosecute this action. Under Local Rule 83.4, a *pro se* litigant is responsible for keeping the Clerk advised in writing of his current address. LR 83.4 (S.D. Tex.). Plaintiff has failed to comply with this rule.

Plaintiff's failure to pursue this action or to keep the Court informed of his current address forces the Court to conclude that he lacks due diligence. Therefore, under the inherent powers necessarily vested in a court to manage its own affairs, this Court determines that dismissal for want of prosecution is appropriate. See Fed. R. Civ. P. 41(b); Woodson v. Surgitek, Inc., 57 F.3d 1406, 1417 (5th Cir. 1995). Accordingly, it is

ORDERED that this case is DISMISSED without prejudice for want of prosecution.

The Clerk will enter this Order, providing a correct copy to all parties of record.

SIGNED at Houston, Texas, on this 4th day of June, 2014.


EWINING WERLEIN, JR.
UNITED STATES DISTRICT JUDGE